

## PATENT COOPERATION TREATY

## PCT

RECEIVED  
EINGEGANGEN

19. Juli 2004

TBK - PATENT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference wo 35174	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/IB 2002/003877	International filing date (day/month/year) 20-09-2002	Priority date (day/month/year) ----
International Patent Classification (IPC) or national classification and IPC H04M 15/00, H04L 12/14, H04L 12/28		
Applicant NOKIA CORPORATION et al		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
- a. ☐ (sent to the applicant and to the International Bureau) a total of \_\_\_\_\_ sheets, as follows:
- ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
- ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
- b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:
- |                                     |              |   |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the report   |
| <input type="checkbox"/>            | Box No. II   | Priority  |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention  |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited   |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application  |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application   |

Date of submission of the demand  20-04-2004	Date of completion of this report  15-06-2004
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer  Behroz Moradi /itw Telephone No. +46 8 782 25 00

**Box No. I Basis of the report**

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))  
☐ publication of the international application (under Rule 12.4)  
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ the international application as originally filed/furnished

☐ the description:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

☐ the claims:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

☐ the drawings:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages \_\_\_\_\_

☐ the claims, Nos. \_\_\_\_\_

☐ the drawings, sheets/figs \_\_\_\_\_

☐ the sequence listing (*specify*): \_\_\_\_\_

☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages \_\_\_\_\_

☐ the claims, Nos. \_\_\_\_\_

☐ the drawings, sheets/figs \_\_\_\_\_

☐ the sequence listing (*specify*): \_\_\_\_\_

☐ any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	<u>1-20</u>	YES
	Claims		NO
Inventive step (IS)	Claims	<u>1-20</u>	YES
	Claims		NO
Industrial applicability (IA)	Claims	<u>1-20</u>	YES
	Claims		NO

**2. Citations and explanations (Rule 70.7)**

The following document is considered relevant in the International Search Report:

D1: WO 0 169 891 A  
D2: WO 9 965 186 A  
D3: WO 0 178 317 A  
D4: JP 2 000 286 842 A  
D5: JP 2 002 111 910 A  
D6: JP 2 001 256 589 A

D1 describes an Arranging of billing in a telecommunication system using a transaction manager to write transactions associated with billing into a billing log file. A wireless application protocol (WAP) gateway (WGW) is a server computer with an event manager and a WAP protocol. A WAP charging gateway (WCG) includes reading devices (RD) for billing log file and changing facilities. The WCG reads billing log files and changes their transactions into a readable form and completed billing tickets are transferred to the billing management system (CHARG) determining the amount of an invoice.

D2 describes a charging system packet based telecommunication network such as ATM and IP network. Since number of received and/or transmitted data unit is calculated accurately, incentive can be created not to offer data in bursts and offers data more evenly, thereby contributes more efficient network use. The charging system aggregates periodically generated data from the calculation devices so that task of the billing system is relieved and quantity of billing data to be transmitted is reduced.

.../...

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V

D3 Therefore, the invention defined in claims 1-13 is not obvious to a person skilled in the art.

Accordingly, the invention defined in claims 1-13 is novel and is considered to involve an inventive step. The invention defined in claims 1-18 is industrially applicable. describes a data charging method for data charging system includes authentication function. A part of the Internet a network segment having an authentication function, a menu function, a data communication path fixing function, a packet collecting function, charging information generating function, and an internal contents server is connected.

D4 describes a communication network measured rate system billing procedure, involves deciding account money for every user which is using sub-network from transmission situation data transmitted to centre. The account money for every user which is using a sub-network is decided from the transmission situation data transmitted to a centre, connected to a communication network, from a local area network. The sampling measurement of the transmission situation data by which a receiving call is performed within the local area network is performed.

D5 describes a charging system for mobile communication device, transmits ID information and communication information into charging apparatus through public telecommunication network, based on which billing is performed. A user having a mobile communication device, accesses a communication device of a service provision person through a public telecommunication network connected to a local communication network to input ID information and communication information. A charging apparatus produces billing data based on the input information.

D6 describes accounting method for information provider on network involves charging user for information downloaded and crediting user for information uploaded. User of information provider e.g. traffic information provider, is charged for information downloaded from the central computer but is credited for information e.g. position of traffic jam, uploaded from user's system. The user is billed for the amount charged minus amount of credit accumulated.

.../...

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

Continuation of: BOX V

The invention defined in claims 1-20 is not disclosed by any of these documents. The cited prior art does not give any indication that would lead a person skilled in the art to a method for charging of data reaching a network element of a communication network during a data session.

Therefore, the invention defined in claims 1-20 is not obvious to a person skilled in the art.

Accordingly, the invention defined in claims 1-20 is novel and is considered to involve an inventive step. The invention defined in claims 1-20 is industrially applicable.